

**UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MASSACHUSETTS**

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**Allan Chiocca,**

**Plaintiff**

**v.**

**Civ. A. No.: 1:19-cv-10482-WGY**

**The Town of Rockland, Deirdre Hall,  
Edward Kimball, Larry Ryan,  
Michael Mullen Jr., Michael O'Loughlin,  
Richard Penney, and Kara Nyman**

**Defendants**

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**DECLARATION OF SAMANTHA C. HALEM IN SUPPORT OF  
PLAINTIFF/COUNTERCLAIM DEFENDANT ALLAN CHIOCCA'S STATEMENT OF  
MATERIAL FACTS IN SUPPORT OF HIS MOTION FOR PARTIAL SUMMARY  
JUDGMENT ON HIS CLAIMS AND IN SUPPORT OF HIS MOTION FOR SUMMARY  
JUDGMENT ON DEFENDANT/COUNTERCLAIM PLAINTIFFS DEIRDRE HALL'S  
AND EDWARD KIMBALL'S COUNTERCLAIMS**

I, Samantha C. Halem, declare as follows:

1. I am a partner at Marshall Halem, LLC ("Marshall Halem") and counsel for Plaintiff/Counterclaim Defendant Allan Chiocca ("Chiocca") in this action. I submit this Declaration in support of Chiocca's Motion for Summary Judgment on Defendant/Counterclaim Plaintiff Deirdre Hall's Counterclaims and Defendant/Counterclaim Plaintiff Edward Kimball's Counterclaims and Chiocca's Partial Motion for Summary Judgment on Plaintiff's claims.

2. Attached hereto are true and correct copies of the following documents:

EXHIBIT A – Chiocca's employment contracts with the Town of Rockland (2008-2019), produced by Chiocca and Bates labelled AC00723-00729, AC00254-00339, and AC 00668-00729.

- EXHIBIT B - Excerpts from the Town of Rockland Rule 30(b)(6) Deposition of Douglas Lapp, October 26, 2021.
- EXHIBIT C – Town of Rockland Charter.
- EXHIBIT D - Excerpts from the Deposition of Edward F. Kimball, September 8, 2021 (Vol. I) and September 9, 2021 (Vol. II).
- EXHIBIT E - Excerpts from the Deposition of Deirdre Hall, July 22, 2021 (Vol. I) and October 4, 2021 (Vol. II).
- EXHIBIT F - Excerpts from the Deposition of Larry Ryan, January 6, 2021.
- EXHIBIT G - Excerpts from the Deposition of Michael Mullen, August 17, 2021.
- EXHIBIT H - Excerpts from the Deposition of Michael O’Loughlin, August 31, 2021.
- EXHIBIT I - Plaintiff Allan Chiocca’s Complaint.
- EXHIBIT J - Defendant Town of Rockland’s Answer to Plaintiff’s Complaint.
- EXHIBIT K - Minutes from the Rockland Board of Selectmen Meeting of June 5, 2018. Minutes from all BOS meetings, including this one, are available on the Town of Rockland’s website at <https://rockland-ma.gov/AgendaCenter/Board-of-Selectmen-6> .
- EXHIBIT L - Excerpts from the Deposition of John Clifford, September 15, 2021.
- EXHIBIT M - Excerpts from the Deposition of Allan Chiocca, July 12, 2021 (Day 1); July 13, 2021 (Day 2), and September 28, 2021.
- EXHIBIT N - Surveillance Video from Rockland Town Hall on May 1-2, 2018, *available at* <https://www.youtube.com/watch?v=LRclvoOLGEQ>
- EXHIBIT O - Excerpts from the Deposition of Marcia Birmingham, July 21, 2021.
- EXHIBIT P - Defendant Deirdre Hall’s Answers to Plaintiff’s Revised Interrogatories.
- EXHIBIT Q - Email from Larry Ryan to Rockland Board of Selectmen dated May 17, 2018, produced by Chiocca and Bates labelled AC02635.
- EXHIBIT R - Minutes from the Rockland Board of Selectmen Meeting of May 29, 2018. Minutes from all BOS meetings, including this one, are available on the Town of Rockland’s website at <https://rockland-ma.gov/AgendaCenter/Board-of-Selectmen-6> .

- EXHIBIT S - Letter from Rockland Board of Selectmen to Allan Chiocca regarding “administrative leave,” dated May 29, 2018, produced by Chiocca and Bates labelled AC00247-00248.
- EXHIBIT T - Facebook post by Defendant Deirdre Hall regarding withdrawal of candidacy from the state representative race, dated May 30, 2018, produced by Hall and Bates labelled D-HALL\_00000580.
- EXHIBIT V - News media articles, produced by Chiocca and Bates labelled as follows: Rockland selectmen: “Town administrator behaved inappropriately,” by Mary Whitfill, *The Patriot Ledger*, May 31, 2018, at AC01874-01875; “Rockland selectmen hold emergency meeting to discuss misconduct by officials,” by Erin Tiernan, *The Patriot Ledger*, May 24, 2018, at AC01882-01883; “Rockland town administrator on leave amid investigation,” by Mary Whitfill, *The Patriot Ledger*, May 31, 2018, at AC01892-01893; “Rockland Town Administrator of Paid Leave Amid ‘Serious Allegations,’” by Kaitlin McKinley Becker, *New England Cable Network (NECN)*, May 29, 2018, at AC01894-01895; “Rockland: Town Official on Paid Leave Pending Investigation,” by Lenny Rowe, *959WTAD, The South Shore’s Radio Station*, May 30, 2018, at AC01924-01925; “Another Horny Democrat Gets Caught,” by Iron Mike, *Rabid Republican Blog*, May 31, 2018, at AC01984-01987.
- EXHIBIT U - Video recording of June 19, 2018 Rockland Board of Selectmen Meeting, available at <https://www.youtube.com/watch?v=pIafB-ztN88&t=5s>
- EXHIBIT W - First Investigative Report of Regina Ryan of Discrimination and Harassment Solutions, LLC, dated July 2, 2018 (redacted by Town Counsel), produced by Hall and Bates labelled D-HALL\_00001164-00001192.
- EXHIBIT X - Verified Complaint of Deirdre Hall against Town of Rockland et al., seeking injunctive relief, dated June 13, 2018, produced by Chiocca and Bates labelled AC01225-01245.
- EXHIBIT Y - Press Release by Attorney John Clifford regarding Deirdre Hall’s complaint against the Town of Rockland, dated June 15, 2018, produced by Chiocca and Bates labelled AC01735-01736.
- EXHIBIT Z - News media articles, produced by Chiocca and Bates labelled as follows: “Rockland: Selectman Withdraws Motion to Block Release of Video Footage,” by Lenny Rowe, *959WTAD, The South Shore’s Radio Station*, June 15, 2018, at AC01737-01739; “Rockland selectman

withdraws lawsuit to block release of surveillance footage,” by Jessica Trufant, *The Patriot Ledger*, June 15, 2018, at AC01740-01742.

- EXHIBIT AA - Facebook post by Massachusetts Conservative Movement on Facebook page “The REAL Rockland (semi-censored) ~~~The good, the bad, & the ugly,” produced by Chiocca and Bates labelled AC 02082.
- EXHIBIT BB - Minutes from the Rockland Board of Selectmen Meeting of June 19, 2018. Minutes from all BOS meetings, including this one, are available on the Town of Rockland’s website at <https://rockland-ma.gov/AgendaCenter/Board-of-Selectmen-6> .
- EXHIBIT CC - News media article, produced by Chiocca and Bates labelled as follows: “Anger boils over at Rockland meeting as scandal roils town,” by Erin Tiernan, *The Patriot Ledger*, June 20, 2018, at AC01743-01745.
- EXHIBIT DD - Minutes from the Rockland Board of Selectmen Meeting of July 10, 2018. Minutes from all BOS meetings, including this one, are available on the Town of Rockland’s website at <https://rockland-ma.gov/AgendaCenter/Board-of-Selectmen-6> .
- EXHIBIT EE - Transcript from Executive Session of Rockland Board of Selectmen Meeting of July 10, 2018, produced by Chiocca and Bates labelled AC02193-02266. This document is filed under seal.
- EXHIBIT FF - Facebook post by Michael O’Loughlin, dated July 11, 2018, produced by the Town and Bates labelled RESP TO RDPS 000003.
- EXHIBIT GG - Letter from Attorney John Clifford to former counsel for Edward Kimball Brian Palmucci, dated November 19, 2018, produced by Hall and Bates labelled D-HALL\_00000729-00000732.
- EXHIBIT HH - Letter from Attorney Clifford to Adam Shafran, dated July 6, 2018, explaining redactions made from First Ryan Report, produced by Chiocca and Bates labelled AC00492.
- EXHIBIT II - Transcript from Executive Session of Rockland Board of Selectmen Meeting of July 17, 2018, produced by Chiocca and Bates labelled AC02267 – 02283.
- EXHIBIT JJ - Town of Rockland’s Answers to Plaintiff’s Interrogatories.
- EXHIBIT KK - Minutes from the Rockland Board of Selectmen Meeting of July 31, 2018. Minutes from all BOS meetings, including this one, are available

on the Town of Rockland's website at <https://rockland-ma.gov/AgendaCenter/Board-of-Selectmen-6> .

EXHIBIT LL - Minutes from the Rockland Board of Selectmen Meeting of November 8, 2018. Minutes from all BOS meetings, including this one, are available on the Town of Rockland's website at <https://rockland-ma.gov/AgendaCenter/Board-of-Selectmen-6> .

EXHIBIT MM - Minutes from the Rockland Board of Selectmen Meeting of November 20, 2018. Minutes from all BOS meetings, including this one, are available on the Town of Rockland's website at <https://rockland-ma.gov/AgendaCenter/Board-of-Selectmen-6> .

EXHIBIT NN - Defendant Town of Rockland's Supplemental Responses to Plaintiff's Request for Production of Documents.

EXHIBIT OO - Excerpts from the Deposition of Regina Ryan, October 6, 2021. This document is filed under seal.

EXHIBIT PP - Minutes from the Rockland Board of Selectmen Meeting of May 15, 2018. Minutes from all BOS meetings, including this one, are available on the Town of Rockland's website at <https://rockland-ma.gov/AgendaCenter/Board-of-Selectmen-6> .

EXHIBIT QQ - Video recording of July 10, 2018 Rockland Board of Selectmen Meeting, *available at* <https://www.youtube.com/watch?v=aq1E9qNYMag&list=PLH12n7SsKux-3JFMM22qHA2Uv3krGX08V&index=98>

EXHIBIT RR – This document is filed under seal.

SIGNED UNDER THE PENALTIES OF PERJURY THIS 15<sup>th</sup> DAY OF NOVEMBER, 2021.

/s/ Samantha C. Halem  
Samantha C. Halem